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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/828,457

04/09/2001

David Bordeleau

10442-17US JA/IC

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20988

7590

07/14/2004

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EXAMINER

CHUNG, DANIEL J

ART UNIT

PAPER NUMBER

2672

10

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,457

Applicant(s)

BORDELEAU ET AL.

Examiner

Daniel J Chung

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Art Unit: 2672

DETAILED ACTION

Claims 1-12 are presented for examination. This office action is in response to the amendment filed on 4-29-2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by
Woodham, Jr. et al. (6,069,668)**

Regarding claim 1, Woodham, Jr. et al discloses that the claimed feature of a method for generating a sequence of object definition data sets for a video particle explosion effect comprising: providing a graphics image data file [i.e. panel A, B in Fig 8, Fig 9] of a particle pattern defining a shape of a plurality of particles; generating a sequence of object definition data sets [i.e. "re-sampled images", "transformed images", "generated particles by adjusting offset/warp tables"] using graphics image data file;

wherein object definition data sets [i.e. “the generated/transformed foreground video images”] can be used [“blended”] to render a particle explosion effect on a video file [i.e. “background video images”]. (See Fig 1, Fig 3, Fig 9, Fig 10, col 2 line 52-col 3 line 13, col 1 line 30-42, col 4 line 53-col 5 line 34, col 12 line 17-24)

Regarding claims 2-3, Woodham, Jr. et al discloses that graphics image data file has a plurality of channels, which are a red channel, a green channel, a blue channel and an alpha channel. (See Fig 1, Fig 3, col 1 line 56-col 2 line 17, col 5 line 22-34)

Regarding claim 4, Woodham, Jr. et al discloses that graphics image data file defines at least one parameter of an explosion sequence for all of plurality of particles, a spin parameter for each of plurality of particles and a softness of edges of each plurality of particles and wherein shape, explosion sequence, spin parameter and softness are each defined in one of plurality of channels. (See Fig 1, Fig 3, col 1 line 56-col 2 line 17, col 5 line 22-34)

Regarding claim 5, Woodham, Jr. et al disclose that particle pattern is a shattered glass pattern. (See col 1 line 62-67, col 5 line 22-34)

Regarding claims 6-8, Woodham, Jr. et al discloses that a step of drawing graphics image data file, a step of drawing comprises defining an edge for plurality of particles and filling up each of plurality of particles with a different color, and the step of

drawing each channel of graphics image data file and wherein each parameter is defined by drawing colors in each channel. (See Fig 7-9, col 4 line 53-col 5 line 34)

Regarding claims 9-10, Woodham, Jr. et al discloses that identifying a plurality of triangles for each particle and storing shape information from each triangle in object definition data sets, and identifying a plurality of triangles for each particle and storing parameter information from each triangle in object definition data sets, parameter information being extracted from each channel. (See Fig 7-9, col 4 line 53-col 5 line 34)

Regarding claim 11, claim 11 is similar in scope to the claim 1, and thus the rejection to claim 1 hereinabove is also applicable to claim 11.

Regarding claim 12, Woodham, Jr. et al discloses that loading each field of video source data file into a graphics engine; loading a corresponding one of sequence of object definition data sets into graphics engine; generating a particle exploded video output using field and corresponding object definition data sets. (See Fig 1, Fig 3, Fig 9, col 1 line 30-42, col 4 line 53-col 5 line 34, col 12 line 17-24)

Response to Arguments

Applicant's arguments filed on 4-29-2004 have been fully considered. However, they do not overcome the previous rejections, which have been maintained. Thus, the finality of this office action is deemed proper.

Specifically, Applicant argued that the cited reference does not disclose that "the graphics image data file of a particle pattern" and "the sequence of object definition data sets generated using the graphics image data file." (See Remarks p. 3 line 15, p.4 line 12) However, such limitations are shown in the teaching of Woodham, Jr. et al. ["providing images (i.e. 'panel A, B' in Fig 8, Fig 9; graphics image data) with new sequence of addresses (object definition data sets) by transformation of images [by tables], then the generated output is mixed with the background video in accordance with a key signal"] (See col 2 line 57-65; Also see rejection hereinabove)

Conclusion

Applicant's response and amendment are not persuasive and the previous grounds of rejection have been maintained. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (Central fax)
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Djc

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July 7, 2004



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